

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MODESTO MERCEDES,

Plaintiff,

-v.-

FIRST AVE & 117TH ST. INC., EAST SIDE  
AUTO SERVICES INC., 1280 ALLERTON AVE  
INC., SHEIKH A GULZAR, ARSHAD HUSSAIN,  
and SOCRATES FRIAS,

Defendants.

22 Civ. 6963 (KPF)

**ORDER**

KATHERINE POLK FAILLA, District Judge:

Plaintiff filed this case in August 2022. (Dkt. #1-10). On November 12, 2022, summons were returned executed as to all Defendants. (Dkt. #24-29). The deadline for defendants Arshad Hussain, Sheikh A Gulzar, and Socrates Frias to answer or otherwise respond to the Complaint was November 30, 2022. (Dkt. #25, 28, 29). The deadline for defendants 1280 Allerton Ave. Inc., East Side Auto Services Inc., and First Ave & 117<sup>th</sup> St. Inc. to answer or otherwise respond to the Complaint was December 1, 2022. (Dkt. #24, 26, 27). Today, nearly four weeks after those deadlines, no defendant has appeared or answered the Complaint.

If Plaintiff wishes to move for a default judgment against any Defendants, he shall move for Certificate(s) of Default on or before **January 19, 2023**. Detailed instructions on how to obtain a default judgment are available as Attachment A to the Court's Individual Rules of Practice of Civil Cases.

Plaintiff is advised that failure to comply with this Order will result in dismissal of his claims pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: December 28, 2022  
New York, New York



---

KATHERINE POLK FAILLA  
United States District Judge